

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-449-E - ORDER NO. 2009-105  
FEBRUARY 25, 2009

IN RE: Application of Duke Energy Carolinas, LLC	)	ORDER GRANTING
Requesting Approval to Revise the	)	APPROVAL OF
Agreement Provision of Service Regulations	)	REVISION
Leaf A	)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Duke Energy Carolinas, LLC ("Duke") seeking approval to revise the agreement provision of Leaf A of the Company's Service Regulations. Duke filed its request with the Commission on or about December 5, 2008. Subsequently, on or about December 16, 2008, the Office of Regulatory Staff ("ORS") filed a letter indicating that the agency had no objection to the request.

The Regulation which Duke seeks to modify provides that contracts may be verbal for residential customers and nonresidential customers with contracts up to 125 kW. Duke proposes to raise the limit for verbal agreements to 2,000 kW for nonresidential customers receiving service under a standard rate schedule. This modification is proposed in order to reduce the administrative costs associated with the processing of such agreements. Although such customers would not be required to execute written agreements, Duke would provide a signed agreement upon the customer's request. Customers receiving service under other provisions or schedules offered by the Company (in addition to those contained in the standard rate schedule) would still be

required to execute a written agreement, without regard to the size of the customer's load, as required by such provisions and schedules. These situations include, but are not limited to: extra facilities, motor starting restrictions, economic development or interruptible service riders, and hourly pricing rates.

A copy of the South Carolina Second (Proposed) Revised Leaf A, which we have hereby adopted effective January 1, 2009, is attached to this Order and incorporated herein as Exhibit A.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:


  
John E. Howard, Vice Chairman  
(SEAL)

Exhibit A

Docket No. 2008-449-E

Order No. 2009-105

February 25, 2009

Service Regulations (SC)  
Duke Energy Carolinas, LLC

Electricity No. 4  
South Carolina Second (Proposed) Revised Leaf A  
Superseding South Carolina First Revised Leaf A

Foreword

The Service Regulations of the Company are filed with the Commission having jurisdiction over public utilities. The regulations are presented here and are incorporated by reference in each contract or agreement for electric service.

Definitions

Duke Energy Carolinas, LLC is referred to herein as the "Company" and the user and prospective user is referred to as the "Customer" or "Consumer," these terms to be considered as synonymous. The Public Service Commission of South Carolina is referred to as the "Commission."

I.

Agreement

Electric service will be supplied under (a) the Company's standard form of application, service agreement, or contract, (b) the applicable rate schedule or schedules, and (c) these service regulations, unless otherwise specified in any particular rate schedule or contract on file with and approved by the Commission. The Company shall not be required to supply service unless and until such agreement is executed by the Customer and the Company. It is understood and agreed that no promise, statement or representation by an agent, employee or other person shall be binding upon the Company unless it is in writing and attached to and made a part of the agreement. However, when the requested supply of electricity is for residential use, or for nonresidential use under contracts of two thousand kilowatts (2000 KW) or less, and no additional charges are involved, the Customer's application or agreement may be verbal. When the application or agreement is verbal, the Company's applicable rate schedules, riders, and these Service Regulations will be effective in the same manner as if the Company's standard form of application or agreement had been signed by the Customer and accepted by the Company. A verbal service agreement shall be presumed when there is no written application by a Customer, if electricity supplied by the Company is used by the Customer or on the Customer's premises.

Cancellation of Agreement for Nonresidential Service at Customer's Request

Unless otherwise provided in the rate schedule and/or rider(s) under which the Customer is served, if the Customer requests an amendment to or termination of the agreement before the expiration of the initial term of the agreement, the Customer shall pay to the Company as an early termination charge the lower of:

- (a) The net present value of the monthly minimum bills, including, but not limited to, basic facilities, demand, and extra facilities charges, for the remaining term under the agreement less the expected net present value of the monthly minimum bills for the initial term of contract of any successor customer who has applied for service at the premises prior to the effective date of the contract amendment or termination, provided, however, this amount shall not be less than zero.

or

- (b) The loss due to early retirement ("LDER") of all transmission and distribution facilities specifically installed by the Company in order to provide the Customer with electric service under the agreement that will not be utilized by any successor customer who has applied for service at the premises prior to the effective date of the contract amendment or termination. The LDER amount shall be calculated as the installed cost of such facilities less accumulated depreciation, less any salvage value, plus removal cost, provided, however, this amount shall not be less than zero.

Effective  
PSCSC Docket No.